



# MINUTES

## OCONEE COUNTY COUNCIL

### Regular Meeting

### April 18, 2023

#### MEMBERS, OCONEE COUNTY COUNCIL

Mr. John Elliott, District I  
Mr. Matthew Durham, Chairman, District II  
Mr. Don Mize, Vice Chairman, District III  
Mr. Julian Davis III, District IV  
Mr. Glenn Hart, Chairman Pro Tem, District V

Oconee County Council met at 6:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members, County Administrator Amanda F. Brock, County Attorney David Root, & Jennifer C. Adams, Clerk to Council present.

**Press:** Pursuant to the Freedom of Information Act, notice of the meeting, date, time, place of meeting and agenda were posted on the bulletin board at the County Administrative Offices, 415 South Pine Street, Walhalla, SC, and the County Council website [[www.oconeesc.com/council](http://www.oconeesc.com/council)]. In addition, it was made available [*upon request*] to the newspapers, radio stations, television stations and concerned citizens.

Members of the press present: Riley Morningstar / The Journal, Dick Mangrum / 101.7 WGOG

#### **Call to Order**

Mr. Elliott called the meeting to order at 6:00 p.m.

Mr. Elliott opened the meeting reminding the public they have two opportunities to speak during Council meetings, which is during the public comment session and also during the public hearing session, if scheduled. Other than those two instances, the public should remain silent during the Council meeting. Anyone making a disturbance during the meeting will be asked to leave Council Chambers for the remainder of the meeting.

#### **Moment of Silence**

Mr. Root asked for a moment of silence prior to the Invocation by County Council Chaplain.

#### **Invocation by County Council Chaplain**

Mr. Root, County Council Chaplain, gave the invocation.

#### **Pledge of Allegiance**

Mr. Durham led the Pledge of Allegiance to the Flag of the United States of America.

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## **Approval of Minutes**

Mr. Davis made a motion, seconded by Mr. Hart, approved 5 - 0, to approve the March 21, 2023 regular meeting minutes as presented.

## **Election of Officers**

### **Council Chair**

Mr. Davis nominated Mr. Elliott as Council Chair. Mr. Hart nominated Mr. Durham as Council Chair. The vote failed 2-3 [Mr. Durham, Mr. Hart, and Mr. Mize opposed] for Mr. Elliott as Council Chair. Mr. Durham was elected Council Chair on a 3 – 2 vote [Mr. Elliott and Mr. Davis opposed].

### **Council Vice Chair**

Mr. Durham nominated Mr. Mize, approved 3 – 2 [Mr. Elliott and Mr. Davis opposed], as Council Vice Chair.

### **Council Chair Pro Tem**

Mr. Durham nominated Mr. Hart, approved 3 – 2 [Mr. Elliott and Mr. Davis opposed], as Council Chair Pro Tem.

## **Attorney's Comments**

Mr. Root noted to Council and the public the addition of three questionnaires that were received after the posting of the agenda that are in consideration for Board and Commissions appointment.

Mr. Root addressed Council with a request to amend the agenda to remove Executive Session items number three and five.

Mr. Hart made a motion, seconded by Mr. Durham, approved 5 – 0, to amend the agenda to remove Executive Session items number three and five.

## **Administrator's Comments**

None at this meeting.

## **Presentation to Council**

Mr. Steve Pelissier, Executive Director of the Appalachian Council of Governments (“ACOG”), presented an Annual Report on ACOG’s services to Oconee County.

Mr. Pelissier addressed Council utilizing a handout entitled “2022 Annual Report” [copy filed in backup] and presented an update of the various services that were impacted in Oconee County by the return on the County’s investment with ACOG.

## **Proclamations**

**PROCLAMATION 2023-01 A PROCLAMATION DECLARING APRIL 30 - MAY 7, 2023 AS CONSERVATION STEWARDSHIP WEEK**

Mr. Hart made a motion, seconded by Mr. Durham, approved 5 – 0 to approve **Proclamation 2023-01** on first and final reading.

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## **Public Comment Session**

*If you are not able to attend in person and you have a comment, you may submit it by contacting our Clerk to Council, Jennifer C. Adams at [jennifercadams@oconeesc.com](mailto:jennifercadams@oconeesc.com) or 864-718-1023, so that she may receive your comment and read it into the record.*

1. Matthew Smith addressed Council in support of Mr. Durham's return to Council.
2. Mr. Daniel Manhardt addressed Council regarding the change in his voting precinct from Pickett Post to Mountain Rest, noting this was 20-mile difference in travel for him.
3. Mr. Alexander Shadwick addressed Council regarding sewer services.
4. Ms. Candy Bianco addressed Council in opposition to Project Green Paw.
5. Mr. Wayne McCall addressed Council regarding his opinion that more law enforcement deputies are needed in the County and that their pay should start out at \$65,000.00.

Mr. Davis made a motion, seconded by Mr. Hart, approved 5 – 0, to allow three extra minutes speaking time for Mr. McCall.

6. Ms. Janie Shipley addressed Council with her opinion that the Oconee County Voter Registration and Elections office needs more staffing and increased storage space.
7. Mr. David McMahan addressed Council with his opinion that more deputies and higher pay is needed for the Oconee County Sheriff's Office.
8. Mr. Rick Bock addressed Council in opposition of the proposed FY2023-2024 County Budget.

## **Council Members Comments**

Mr. Durham delivered an emotional statement regarding his absence from Council for the last several months, noting that God has a plan and that serving the people of Oconee County on Council has been one of the greatest honors of his life.

Mr. Davis responded to Mr. McCall's comments related to officer pay, noting that officer starting pay has had the biggest increase in the last three years than in the last six.

Mr. Hart stated it would belittle him to even try and follow Mr. Durham's statement.

**Public Hearings for the Following Ordinances** *If you would like to be heard during either of the public hearings, please contact Clerk to Council Jennifer C. Adams at [jennifercadams@oconeesc.com](mailto:jennifercadams@oconeesc.com) or 864-718-1023 so that your participation by may be coordinated.*

**ORDINANCE 2023-04** AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A REAL PROPERTY LEASE AGREEMENT BETWEEN OCONEE COUNTY AS LESSOR AND THE ROSA CLARK MEDICAL CLINIC ASSOCIATION, INC. AS LESSEE, IN RELATION TO CERTAIN COUNTY-OWNED PROPERTY LOCATED ADJACENT TO THE OCONEE COUNTY MAGISTRATE'S OFFICE LOCATED AT 1606 MAIN STREET, WESTMINSTER, SOUTH CAROLINA; AND OTHER MATTERS RELATED THERETO.

Mr. Durham opened the floor for Public Comment.

Noting that no citizens signed up to address Council; Mr. Durham opened the floor for any citizen wishing to address Council regarding this ordinance. No citizen addressed Council and no citizen submitted or presented any written comments for the record.

Mr. Durham closed the Public Hearing regarding **Ordinance 2023-04**.

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**ORDINANCE 2023-06** AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY OWNED BY OCONEE COUNTY, CONSISTING OF APPROXIMATELY .15 ACRES AND BEING A PORTION OF TAX MAP # 520-36-10-017 (“PARCEL 1”), AND AUTHORIZING THE RECEIPT OF CERTAIN REAL PROPERTY OWNED BY PINE RIDGE MHC SC, LLC, CONSISTING OF APPROXIMATELY .25 ACRES AND BEING A PORTION OF TAX MAP # 240-00-04-023 (“PARCEL 2”) IN EXCHANGE FOR THE CONVEYANCE OF PARCEL 1; AND OTHER MATTERS RELATED THERETO.

Mr. Durham opened the floor for Public Comment.

Noting that no citizens signed up to address Council; Mr. Durham opened the floor for any citizen wishing to address Council regarding this ordinance. No citizen addressed Council and no citizen submitted or presented any written comments for the record.

Mr. Durham closed the Public Hearing regarding **Ordinance 2023-06**.

### **Third Reading of the Following Ordinances**

**ORDINANCE 2022-32** AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A PUBLIC INFRASTRUCTURE REIMBURSEMENT AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA (“COUNTY”), WATERVIEW INVESTMENT I, LLC, AND RAVENEL DEVELOPMENT, LLC (PREVIOUSLY IDENTIFIED BY THE COUNTY AS PROJECT GREENPAW), WITH RESPECT TO CERTAIN PROPERTY IN THE COUNTY, WHEREBY SUCH PROPERTY WILL BE SUBJECT TO CERTAIN PAYMENTS IN LIEU OF TAXES, INCLUDING THE PROVISION OF CERTAIN SPECIAL SOURCE REVENUE CREDITS TO REIMBURSE WATERVIEW INVESTMENT I, LLC, AND RAVENEL DEVELOPMENT, LLC FOR CERTAIN INFRASTRUCTURE COSTS INCURRED; AUTHORIZING THE EXECUTION AND DELIVERY THEREOF; AUTHORIZING THE PLACEMENT OF CERTAIN PROPERTY WITHIN THE BOUNDARIES OF A MULTICOUNTY INDUSTRIAL OR BUSINESS PARK OR THE CREATION OF A NEW MULTICOUNTY INDUSTRIAL OR BUSINESS PARK; AND OTHER MATTERS RELATING THERETO.

*(The Public Hearing for Ordinance 2022-32 was held at the March 7, 2023 Council meeting.)*

Mr. Hart made a motion, seconded by Mr. Davis, to approve **Ordinance 2022-32** on third and final reading.

Mr. Elliott expressed his opposition to **Ordinance 2022-32**.

Mr. Davis offered comments related to **Ordinance 2022-32** and his experience with student housing.

Mr. Durham expressed his opposition to **Ordinance 2022-32**.

Mr. Mize echoed Mr. Durham’s comments.

Motion unanimously failed, 0 – 5.

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**ORDINANCE 2023-04** AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A REAL PROPERTY LEASE AGREEMENT BETWEEN OCONEE COUNTY AS LESSOR AND THE ROSA CLARK MEDICAL CLINIC ASSOCIATION, INC. AS LESSEE, IN RELATION TO CERTAIN COUNTY-OWNED PROPERTY LOCATED ADJACENT TO THE OCONEE COUNTY MAGISTRATE'S OFFICE LOCATED AT 1606 MAIN STREET, WESTMINSTER, SOUTH CAROLINA; AND OTHER MATTERS RELATED THERETO.

Mr. Davis made a motion, seconded by Mr. Hart, approved 5 – 0, to approve **Ordinance 2023-04** on third and final reading.

**ORDINANCE 2023-06** AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY OWNED BY OCONEE COUNTY, CONSISTING OF APPROXIMATELY .15 ACRES AND BEING A PORTION OF TAX MAP # 520-36-10-017 (“PARCEL 1”), AND AUTHORIZING THE RECEIPT OF CERTAIN REAL PROPERTY OWNED BY PINE RIDGE MHC SC, LLC, CONSISTING OF APPROXIMATELY .25 ACRES AND BEING A PORTION OF TAX MAP # 240-00-04-023 (“PARCEL 2”) IN EXCHANGE FOR THE CONVEYANCE OF PARCEL 1; AND OTHER MATTERS RELATED THERETO.

Mr. Mize made a motion, seconded by Mr. Hart, approved 5 – 0, to approve **Ordinance 2023-06** on third and final reading.

### **Second Reading of the Following Ordinances**

None for this meeting.

### **First Reading of the Following Ordinances**

**ORDINANCE 2023-05** AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDMENT TO THE FEE-IN-LIEU OF TAX AGREEMENT BY AND BETWEEN OCONEE COUNTY, SOUTH CAROLINA, AND A COMPANY KNOWN TO THE COUNTY AND REFERRED TO FOR THE TIME BEING AS “PROJECT EVPACK AFFILIATE,” DATED AS OF SEPTEMBER 19, 2017; AND OTHER RELATED MATTERS.

Mr. Davis made a motion, seconded by Mr. Hart, to approve **Ordinance 2023-05** on first reading.

Mr. Davis commented that FILOT agreements were created by the state of South Carolina to allow counties to be competitive in recruiting industry to their area.

Motion approved 5 – 0.

**ORDINANCE 2023-07** AN ORDINANCE AUTHORIZING, PURSUANT TO TITLE 12, CHAPTER 44 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF AD VALOREM TAXES AND SPECIAL SOURCE REVENUE CREDIT AGREEMENT BY AND BETWEEN OCONEE COUNTY, SOUTH CAROLINA, AND PROJECT MADE, ACTING FOR ITSELF, ONE OR MORE CURRENT OR FUTURE AFFILIATES AND OTHER PROJECT COMPANIES (COLLECTIVELY,

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“COMPANY”); PROVIDING FOR A FEE-IN-LIEU OF AD VALOREM TAXES INCENTIVE; PROVIDING FOR A SPECIAL SOURCE REVENUE CREDIT; DEVELOPING A JOINT COUNTY INDUSTRIAL AND BUSINESS PARK BETWEEN OCONEE COUNTY AND PICKENS COUNTY SO AS TO DESIGNATE THE PROPERTY OF THE PROJECT AS PART OF THE PARK; AUTHORIZING THE EXECUTION AND DELIVERY OF ONE OR MORE GRANT AGREEMENTS; AUTHORIZING THE CONVEYANCE OF CERTAIN REAL ESTATE FOR PROJECT MADE; AND OTHER RELATED MATTERS.

Mr. Davis made a motion, seconded by Mr. Elliott, approved 5 – 0, to approve **Ordinance 2023-07** on first reading.

**ORDINANCE 2023-08** AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY OWNED BY OCONEE COUNTY TO MOUNT NEBO BAPTIST CHURCH, PROPERTY CONSISTING OF APPROXIMATELY .14 ACRES AND BEING A PORTION OF TAX MAP # 256-00-01-006, AND AUTHORIZING THE RECEIPT OF CERTAIN REAL PROPERTY OWNED BY MOUNT NEBO BAPTIST CHURCH, PROPERTY CONSISTING OF APPROXIMATELY .0034 ACRES AND BEING A PORTION OF TAX MAP # 256-00-04-019; AND OTHER MATTERS RELATED THERETO.

Mr. Hart made a motion, seconded by Mr. Mize, approved 5 – 0, to approve **Ordinance 2023-08** on first reading.

### **First and Final Reading for the Following Resolutions**

**RESOLUTION 2023-06** A RESOLUTION RECOGNIZING AND DESIGNATING APRIL 2023 AS FAIR HOUSING MONTH.

Mr. Hart made a motion, seconded by Mr. Elliott, approved 5 – 0, to approve **Resolution 2023-06** on first and final reading.

**RESOLUTION 2023-07** A RESOLUTION CONSENTING TO THE ASSIGNMENT AND ASSUMPTION OF A FEE AGREEMENT BY AND AMONG EPOCH CLEMSON, LLC, EPOCH CLEMSON ST, LLC, AND OCONEE COUNTY, SOUTH CAROLINA; AND OTHER RELATED MATTERS.

Mr. Davis made a motion, seconded by Mr. Hart, approved 5 – 0, to approve **Resolution 2023-07** on first and final reading.

### **Discussion Regarding Action Items**

None at this meeting.

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## **Council Committee Reports**

*Planning and Economic Development / Mr. Davis ..... March 21, 2023*

Mr. Davis provided information outlining discussions held at the March 21, 2023 Planning and Economic Development Committee meeting.

*Real Estate, Facilities & Land Management / Mr. Mize ..... March 21, 2023*

Mr. Mize provided information outlining discussions held at the March 21, 2023 Real Estate, Facilities and Land Management meeting.

*Budget, Finance & Administration Committee / Mr. Elliott ..... March 24, 2023*

Mr. Elliott provided information outlining discussions held at the March 24, Budget, Finance and Administration Committee meeting.

## **Board & Commission Appointments**

### **Agriculture Advisory Board**

Mr. Durham nominated Mr. Trent Smith, approved 5 – 0, to serve as the District II representative on the Agriculture Advisory Board.

### **Board of Zoning Appeals**

Mr. Elliott nominated Mr. James Henderson, approved 5 – 0, to serve as the District I representative on the Board of Zoning Appeals.

Mr. Hart nominated Mr. Thomas James to serve as the District IV representative on the Board of Zoning Appeals.

Mr. Davis noted that this was his district and he would have another questionnaire for consideration at the next Council meeting.

Mr. Hart withdrew his nomination.

Nominations for the District IV representative on the Board of Zoning Appeals was postponed until the May 2, 2023 Council meeting.

### **Building Codes Appeal Board**

Mr. Hart nominated Mr. Kenneth Owen, approved 5 – 0, to serve as an At-Large representative on the Building Codes Appeal Board.

Mr. Hart nominated Ms. Vicky Smith, approved 4 – 1 [Mr. Davis opposed], to serve as an At-Large representative on the Building Codes Appeal Board.

### **Planning Commission**

Mr. Mize nominated Mr. Britton Adams, approved 4 – 1 [Mr. Davis opposed], to serve as the District III representative on the Planning Commission.

Mr. Durham nominated Mr. Mickey Haney, approved 3 -2 [Mr. Elliott and Mr. Davis opposed] to serve as an At-Large representative on the Planning Commission.

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**Executive Session:**

Mr. Davis made a motion, seconded by Mr. Hart, approved 5 – 0, to enter into Executive Sessions for the following purposes, as allowed for § 30-4-70(a) of the South Carolina Code of Laws:

1. *Receive legal advice and discuss contractual matter regarding purchase of real property adjacent to a County park.*
2. *Receive legal advice and discuss contractual matter regarding lease of property for operation by the County’s Parks, Recreation, and Tourism department.*
- ~~3. *Discuss an Economic Development matter, Project Red.*~~
4. *Discuss an Economic Development matter, Project Iron Man.*
- ~~5. *Discuss an Economic Development matter, Project Dual.*~~

Executive Session items number three and five were removed from the agenda on a motion made by Mr. Hart, seconded by Mr. Durham, approved 5 – 0.

Council entered into Executive Session at 7:27 p.m.

Council returned from Executive Session at 8:08 p.m. on a motion made by Mr. Elliott, seconded by Mr. Hart, approved 5 – 0.

Mr. Root made note to Council of the three motions that were needed in relation to Executive Session items one, two, and four.

Mr. Hart made a motion, seconded by Mr. Davis, approved 5 – 0, to direct staff to proceed with negotiations for purchase as discussed in relation to the purchase of real property adjacent to a County park.

Mr. Elliott made a motion, seconded by Mr. Davis, approved 5 – 0, to proceed with negotiations for lease of the subject property as discussed.

Mr. Hart made a motion, seconded by Mr. Davis, approved 5 – 0, to direct staff to proceed with negotiations as discussed in relation to Project Iron Man.

**Adjourn:**

Mr. Hart made a motion, approved unanimously, to adjourn at 8:09 p.m.

Respectfully Submitted:

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Jennifer C. Adams  
Clerk to Council

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